

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

BUILDING INSPECTION

PERMIT

Please Read Application And Notes, If Any, Attached

Permit Number: 080295
PERMIT ISSUED
MAY 15 2008

This is to certify that OLD PORT RETAIL HOLDINGS LLC /Innovative Development C

has permission to adding open air break entrance, replacing platform for seating, new flooring, paint etc.

AT 446 FORE ST LOT 032 R008001

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and written permission procured before this building or part thereof is latched or otherwise closed-in. 24 HOUR NOTICE IS REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

OTHER REQUIRED APPROVALS

Fire Dept. Greg Cassel (conditions)
Health Dept. _____
Appeal Board _____
Other _____
Department Name

Deanne Bourke 5/2/08
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY)

to schedule your inspections as agreed upon

Permits expire in 6 months, if the project is not started or ceases for 6 months.

The Owner or their designee is required to notify the inspections office for the following inspections and provide adequate notice. Notice must be called in 48-72 hours in advance in order to schedule an inspection:

By initializing at each inspection time, you are agreeing that you understand the inspection procedure and additional fees from a "Stop Work Order" and "Stop Work Order Release" will be incurred if the procedure is not followed as stated below.

A Pre-construction Meeting will take place upon receipt of your building permit.

X Framing/Rough Plumbing/Electrical: Prior to Any Insulating or drywalling

X Final inspection required at completion of work.

Certificate of Occupancy is not required for certain projects. Your inspector can advise you if your project requires a Certificate of Occupancy. All projects DO require a final inspection.

If any of the inspections do not occur, the project cannot go on to the next phase, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.

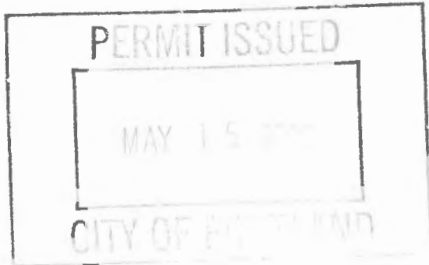
CERIFICATE OF OCCUPANICES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED.

X [Signature]
Signature of Applicant/Designee

5/16/08
Date

[Signature]
Signature of Inspections Official

5/2/08
Date



City of Portland, Maine - Building or Use Permit

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 08-0295	Date Applied For: 04/01/2008	CBL: 032 R008001
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Location of Construction: 446 FORE ST	Owner Name: OLD PORT RETAIL HOLDINGS	Owner Address: 101 RICHARDSON ST	Phone:
Business Name:	Contractor Name: Innovative Development Company,	Contractor Address: 30 Mile Street Portland	Phone (207) 879-5400
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Commercial	

Proposed Use: Commercial/ Restaurant/ Lounge/ Dance Club - DBA "Prost Int'l Tap House" & "Club Onyx" - Interior renovations, - adding open air break entrance, replacing platform for seating, new flooring, paint etc.	Proposed Project Description: adding open air break entrance, replacing platform for seating, new flooring, paint etc.
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Dept: Historic **Status:** Not Applicable **Reviewer:** Deborah Andrews **Approval Date:** 04/11/2008**Note:** **Ok to Issue:**

- 1) Interior alterations only--no HP review required. Applicant was advised any exterior alterations, including signage, lighting, venting, etc. will require review and approval.

Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Marge Schmuckal **Approval Date:** 04/03/2008**Note:** **Ok to Issue:**

- 1) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
- 2) Separate permits shall be required for any new signage.
- 3) ANY exterior work requires a separate review and approval thru Historic Preservation. This property is located within an Historic District.
- 4) It is understood that this is a new business for "Prost Intn'l Tap House" and "Club Onyx" and not associated with the previous businesses. Please check with the City's licensing division in the City Clerks office to be sure that you have obtained all your required licenses.

Dept: Building **Status:** Approved with Conditions **Reviewer:** Jeanine Bourke **Approval Date:** 05/02/2008**Note:** **Ok to Issue:**

- 1) Separate permits are required for any electrical, plumbing, or HVAC systems. Separate plans may need to be submitted for approval as a part of this process.
- 2) Approval of license is subject to health inspections per the Food Code.
- 3) Permit approved based on the plans submitted and reviewed w/owner/contractor, with additional information as agreed on and as noted on plans.
- 4) The approved raised platform must be clearly highlighted to indicate a change of elevation.
- 5) The previously built mezzanine on the Club Onyx side above the bar shall be remove due to lack of required egress, ceiling height deficiencies and improper guardrail openings. This area must be removed as it is not allowed to be occupied as built.

Dept: Fire **Status:** Approved with Conditions **Reviewer:** Capt Greg Cass **Approval Date:** 04/15/2008**Note:** Occupant load needs to be recalculated with the enclosure of the 2nd. Floor. **Ok to Issue:**

- 1) Occupancies with an occupant load of 100 persons or more require panic hardware on all doors serving as a means of egress.
- 2) The Fire alarm and Sprinkler systems shall be reviewed by a licensed contractor[s] for code compliance. Compliance letters are required.
- 3) Installation of a Fire Alarm system requires a Knox Box to be installed per city ordinance
- 4) All construction shall comply with NFPA 101
- 5) The mezzanine will be addressed by the Building Inspection Div.

Location of Construction: 446 FORE ST	Owner Name: OLD PORT RETAIL HOLDINGS	Owner Address: 101 RICHARDSON ST	Phone:
Business Name:	Contractor Name: Innovative Development Company,	Contractor Address: 30 Mile Street Portland	Phone (207) 879-5400
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Commercial	

- 6) Emergency lights and exit signs are required
- 7) Fire extinguishers required. Installation per NFPA 10
- 8) The enclosure of the 2nd. floor requires the stairs serving that area to be enclosed with 1 hr. fire rated construction.
- 9) Interior finish shall comply with Chapter 10.2 of the Life Safety Code. Any product applied to the walls or ceiling shall be approved by the PFD. Class B required.
- 10 Application requires State Fire Marshal approval.

Comments:

4/3/2008-mes: I questioned the applicant as to the lessee (Diggers & Liquid Blue no longer have entertainment or liquor licenses). Cassandra of ER Entertainment called me back and said the these were new businesses and not associated with Liquid Blue or Diggers.

5/2/2008-jmb: Ryan B. Submitted plans. Reviewed and ok to issue

4/18/2008-jmb: After meeting on site on 4/15 with Greg C. And the contractor, I have the following comments per the review:
The elevated platform (mezzanine) that was obviously previously built without approvals must be removed or plans are submitted that meet the code for structure, mezzanine and egress. Structural framing details on the proposed "fill in" of the 2nd floor to create a tray ceiling shall be submitted. Details on all graspable handrails. Left voicemail for Ryan B.

City of Portland, Maine - Building or Use Permit Application

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 08-0295	Issue Date:	CBL: 032 R008001
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Location of Construction: 446 FORE ST	Owner Name: OLD PORT RETAIL HOLDINGS	Owner Address: 101 RICHARDSON ST	Phone:
Business Name:	Contractor Name: Innovative Development Company,	Contractor Address: 30 Mile Street Portland	Phone 2078795400
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Commercial	Zone: B-3

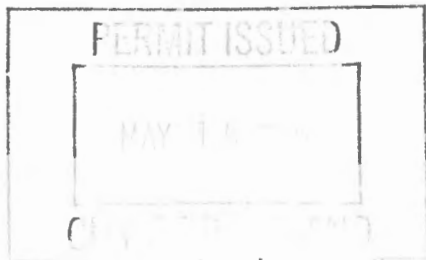
Past Use: Commercial/ Restaurant/ Lounge/ Dance Club "Diggers/Liquid Blue"	Proposed Use: Commercial/ Restaurant/ Lounge/ Dance Club - DBA "Prost Int'l Tap House" & "Club Onyx" - Interior renovations, - adding open air break entrance, replacing platform for seating, new flooring, paint etc	Permit Fee: \$120.00	Cost of Work: \$10,000.00	CEO District: 1
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Proposed Project Description: adding open air break entrance, replacing platform for seating, new flooring, paint etc.	FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied See Conditions	INSPECTION: Use Group: A2 Type: 5B IBC-2003 Signature: JMB 5/2/08
	Signature: Greg Carr	Signature: JMB 5/2/08
	PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)	
	Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied	
	Signature:	Date:

Permit Taken By: Idobson	Date Applied For: 04/01/2008	Zoning Approval
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1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.
2. Building permits do not include plumbing, septic or electrical work.
3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..

Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Denied Date: 4/13/08	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date:	Historic Preservation to D.A. <input type="checkbox"/> Not in District or Landmark <input checked="" type="checkbox"/> Does Not Require Review (Inherently) <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date: 4/11/08 J. Andrews
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CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE

12-26-12 GF

WORK APPARENTLY COMPLETED W/O INSPECTIONS
BUSINESS LISTED - NO LONGER IN THIS SPACE

CLOSET

GF



General Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: <u>444-446 FOREST (Formerly LIQUID BLUE + DIGGERS PUB)</u>		
Total Square Footage of Proposed Structure/Area <u>6570</u>		Square Footage of Lot <u>9920</u>
Tax Assessor's Chart, Block & Lot Chart# <u>32</u> Block# <u>R</u> Lot# <u>8</u>	Applicant * must be owner, Lessee or Buyer * Name <u>ER ENTERTAINMENT LLC</u> Address <u>446 FOREST</u> City, State & Zip <u>PORTLAND ME 04101</u>	Telephone: <u>207-329-0288</u>
Lessee/DBA (If Applicable) <u>DBA: FROST INT'L TAP HOUSE</u> <u>DBA: CLUB ONYX</u>	Owner (if different from Applicant) Name <u>OLD PORT RETAIL HOLDINGS LLC</u> Address <u>101 RICHARD ST</u> City, State & Zip <u>BROOKLYN NY 11211</u>	Cost Of Work: \$ <u>10,000</u> C of O Fee: \$ _____ Total Fee: \$ <u>120</u>
Current legal use (i.e. single family) <u>COMMERCIAL / RESTAURANT / LOUNGE / DANCE CLUB</u> If vacant, what was the previous use? <u>LIQUID BLUE + DIGGERS PUB</u> Proposed Specific use: <u>DANCE CLUB + PUB WITH FOOD</u> Is property part of a subdivision? <u>NO</u> If yes, please name _____ Project description: <u>RENOVATION OF FORMER PUB + NIGHT CLUB (LIQUID BLUE + DIGGERS) ADDING OPEN AIR BREAK TO ENTRANCE, REPLACING PLATFORM FOR SEATING DUE TO ROT. NEW FLOORING, PAINT ETC...</u>		
Contractor's name: <u>INNOVATIVE DEVELOPMENT COMPANY LLC</u> Address: <u>30 MILK ST. - 2ND FLOOR</u> City, State & Zip <u>PORTLAND, ME 04101</u> Telephone: <u>207-879-5400</u> Who should we contact when the permit is ready: <u>RYAN BYTHER</u> Telephone: <u>207-329-0288</u> Mailing address: <u>SAME AS ABOVE</u>		

Please submit all of the information outlined on the applicable Checklist. Failure to do so will result in the automatic denial of your permit.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature: [Signature] Date: 4/1/08

This is not a permit; you may not commence ANY work until the permit is issue

From: Gary Wood
To: Marge Schmuckal
Date: 4/2/2008 12:19:17 PM
Subject: Re: Diggers/Liquid Blue

4/3/08

CASSANDRA BER, Entertainment
called & stated that these
are new businesses
NOT associated
with Diggers
Liquid
Blue

Good Catch

Tom Manning sold the D/LB business to new owners who applied for and got liquor and food service licenses for that space about 4-6 weeks ago. I don't remember the new owners official name. I think their d/b/a had Octoberfest in it.

Subsequently I was asked by the new owner's attorney whether the new owner could hire Mr Manning to promote the business. I recommended against that hiring due to the Council's actions and concerns with D?LB and the way Mr Manning ran it.

Sooo..... I do not understand at all why the D/LB name is still being used and I am concerned if Tom Manning is continuing to play any role in the business at that location. Is his signature on any of the documents? And please follow up with the applicant to find out what is going on

>>> Marge Schmuckal 4/2/2008 12:02:26 PM >>>

Gary,

I have a building permit application for Diggers/Liquid Blue. The last I knew they did not have either an entertainment or a liquor license.

They are proposing to replace a platform for seating, add a new open air-break entrance - new flooring and painting.

I have called the applicant to clarify who the leasee really is.

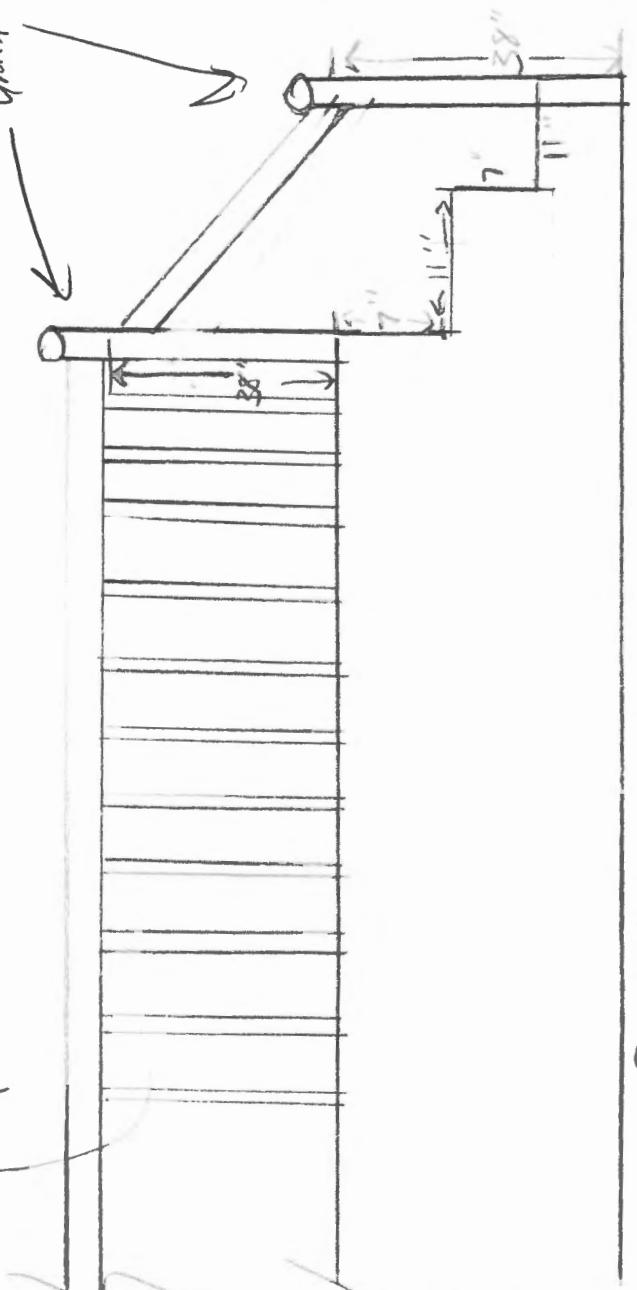
So I am checking. If this is really Diggers/Liquid Blue, should the permit be held up?

Thanks, Marge

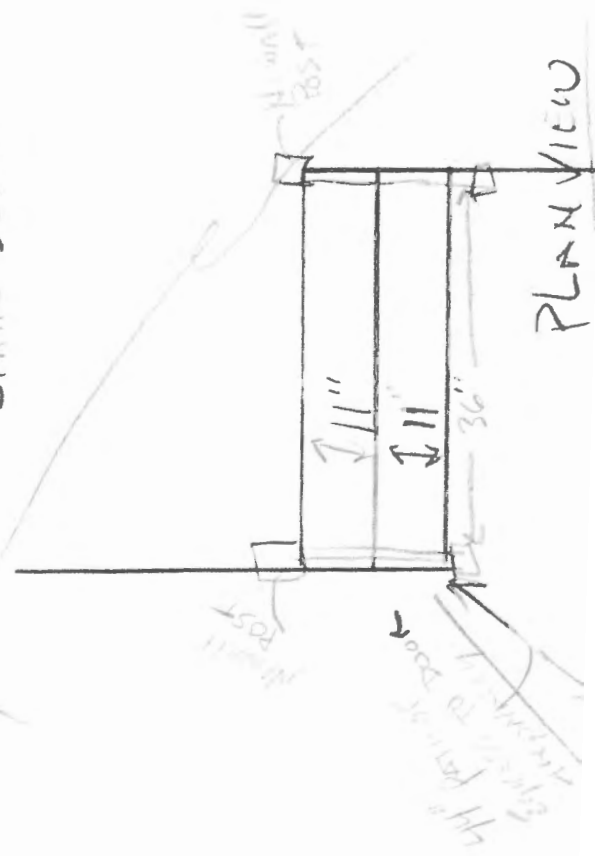
CC: Alexandra MURPHY; James Adolf

Ballusters
H 11" Spaced
H 10" (CSS)

Graspable RAIL PARTS
Returned to code



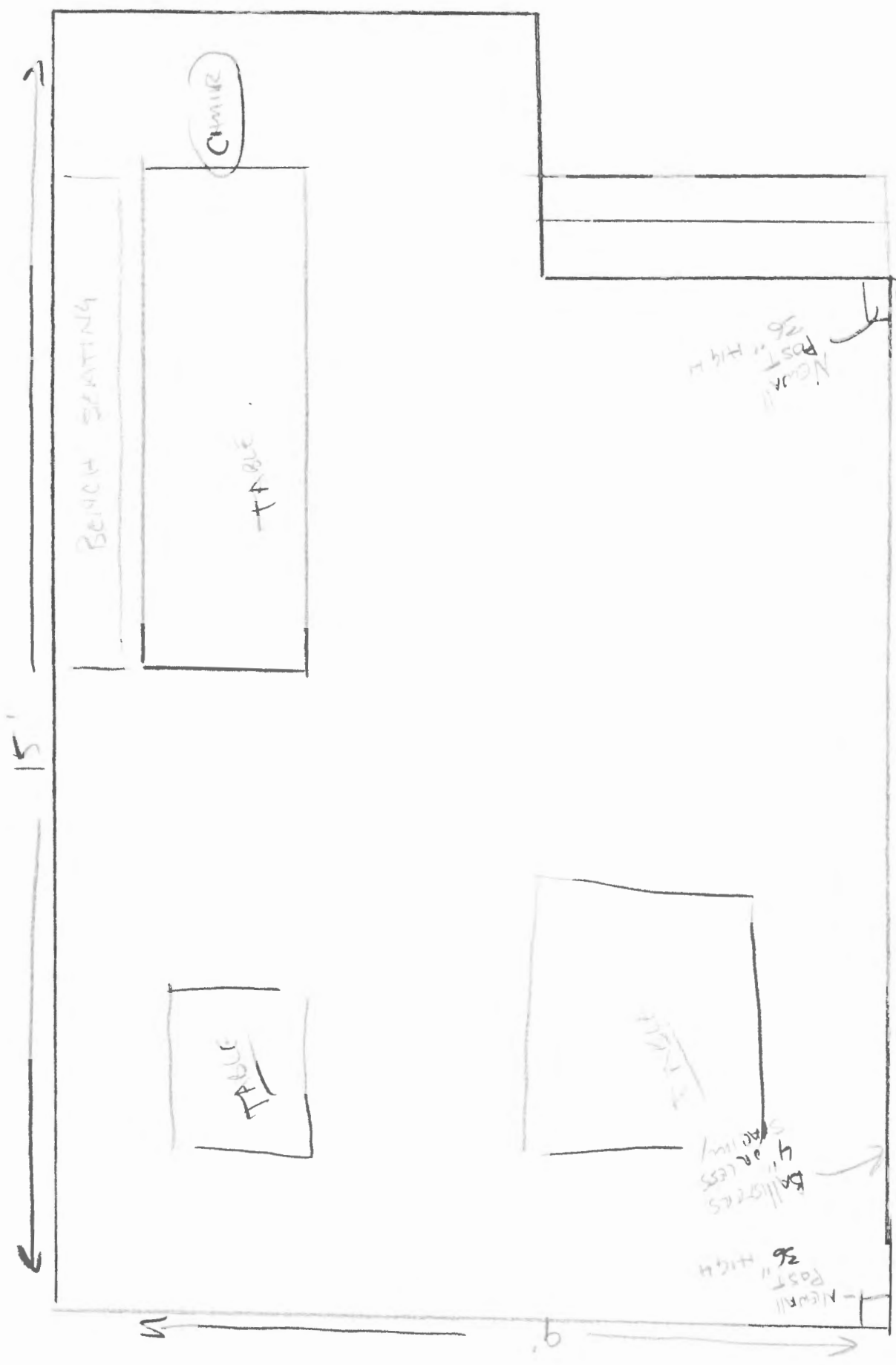
STAIR DETAIL



PLAN VIEW

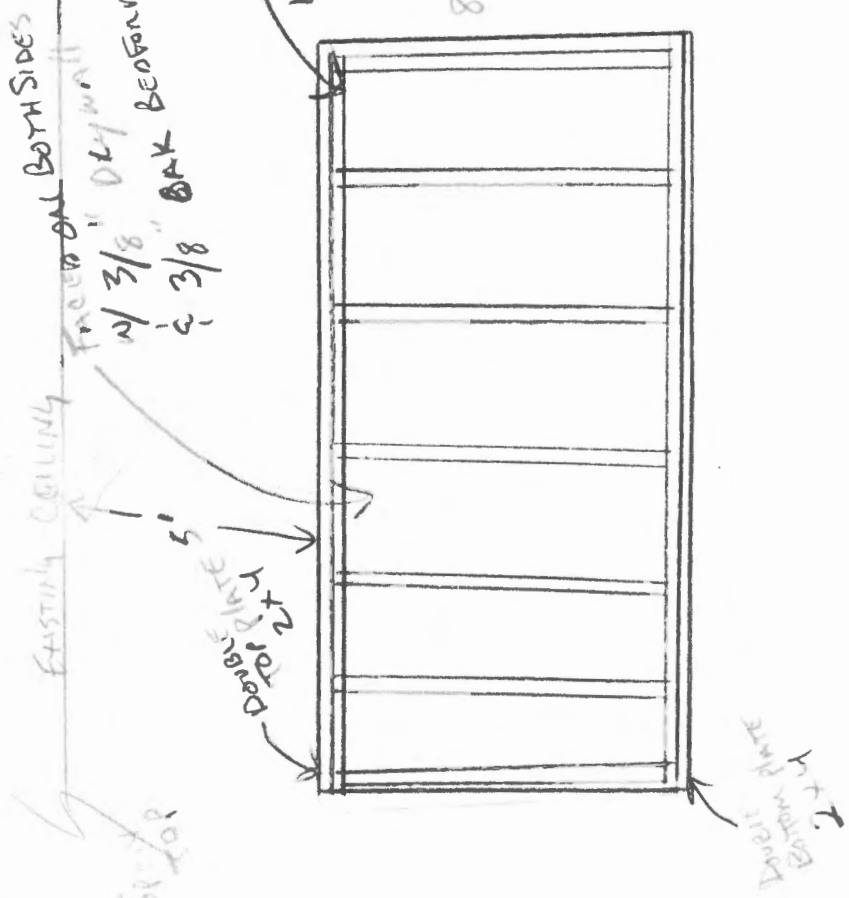
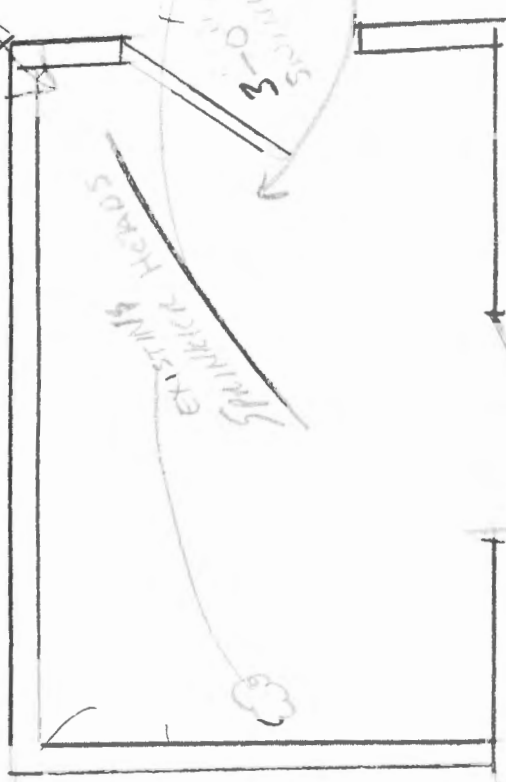
SEATING LAY OUT

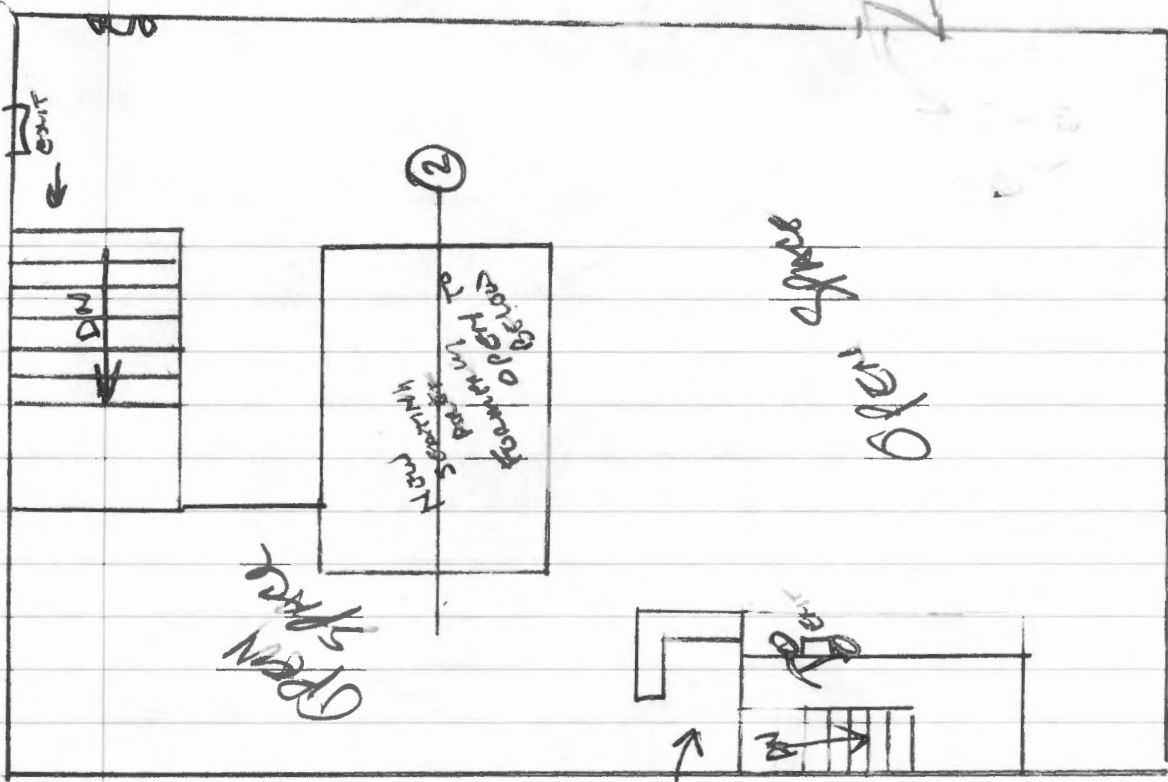
SEATING PLAN
Platform



NEW OPEN TOP WIND BREAK

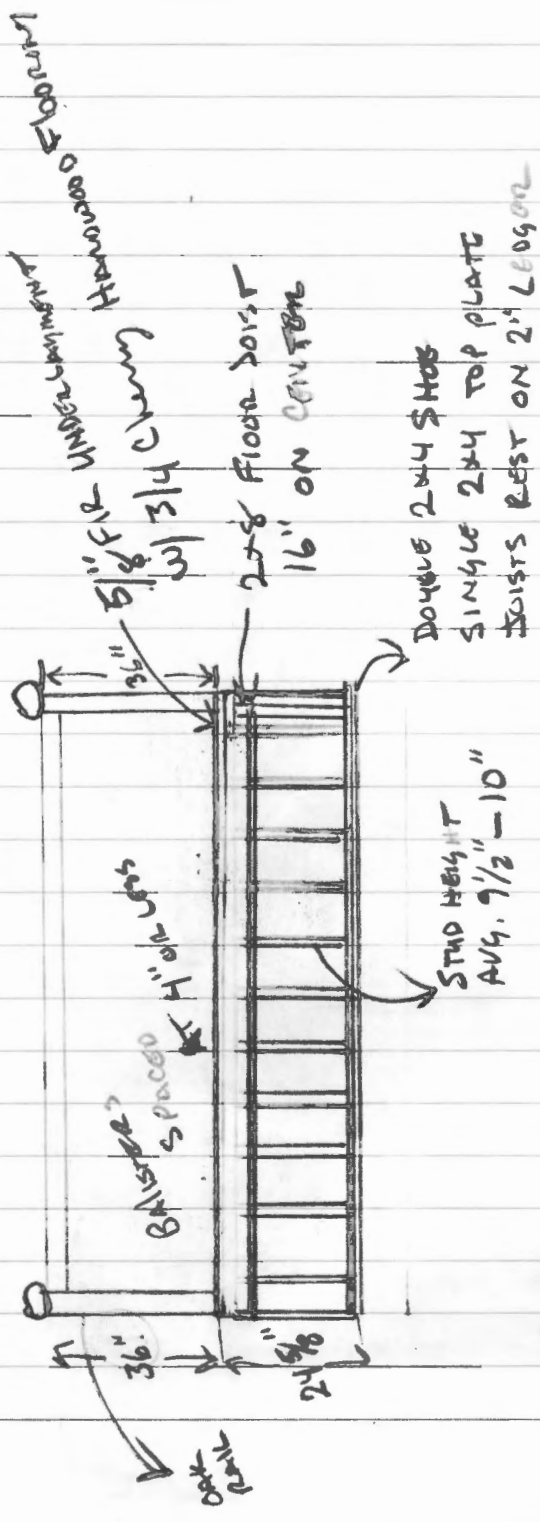
PLAN VIEW



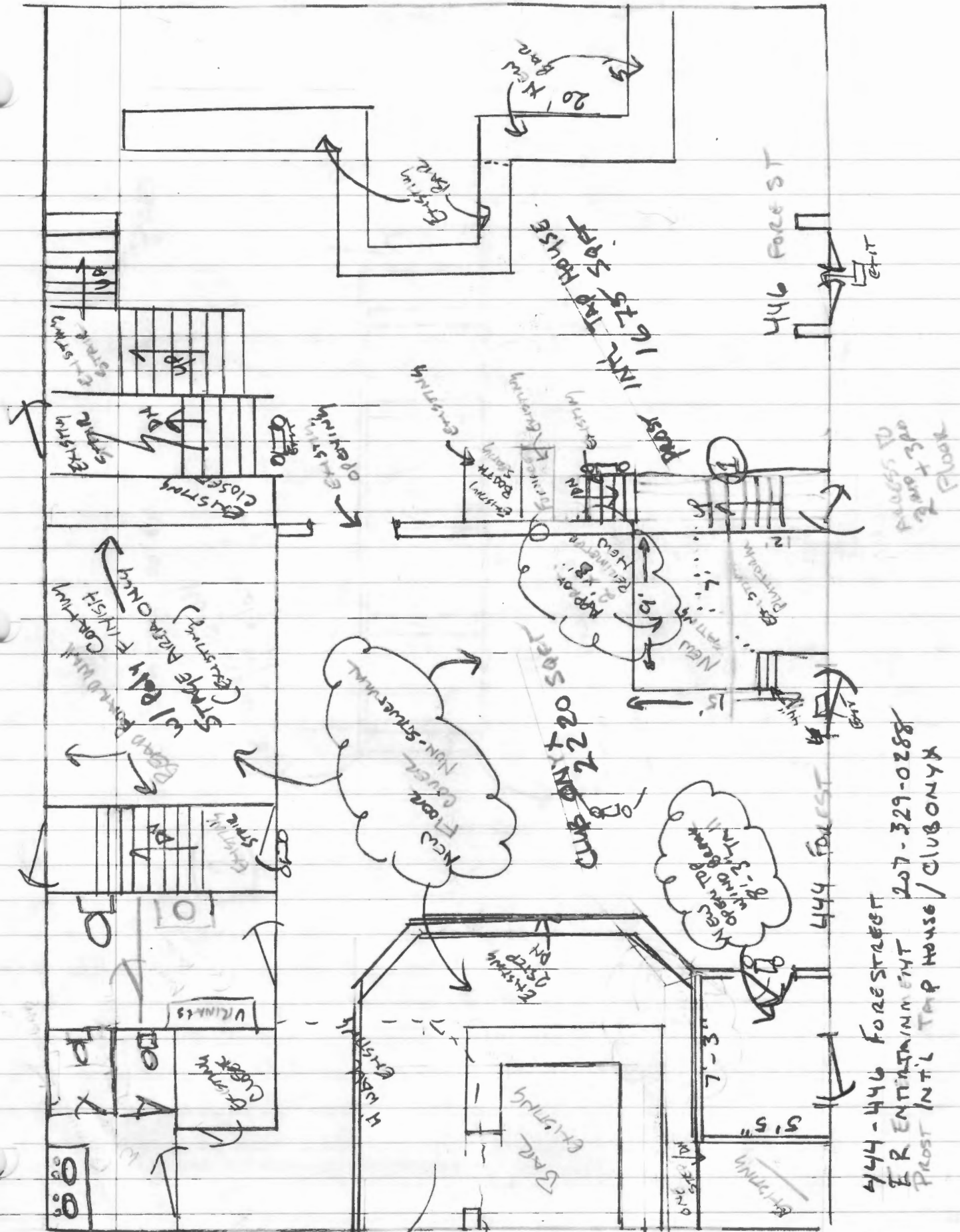


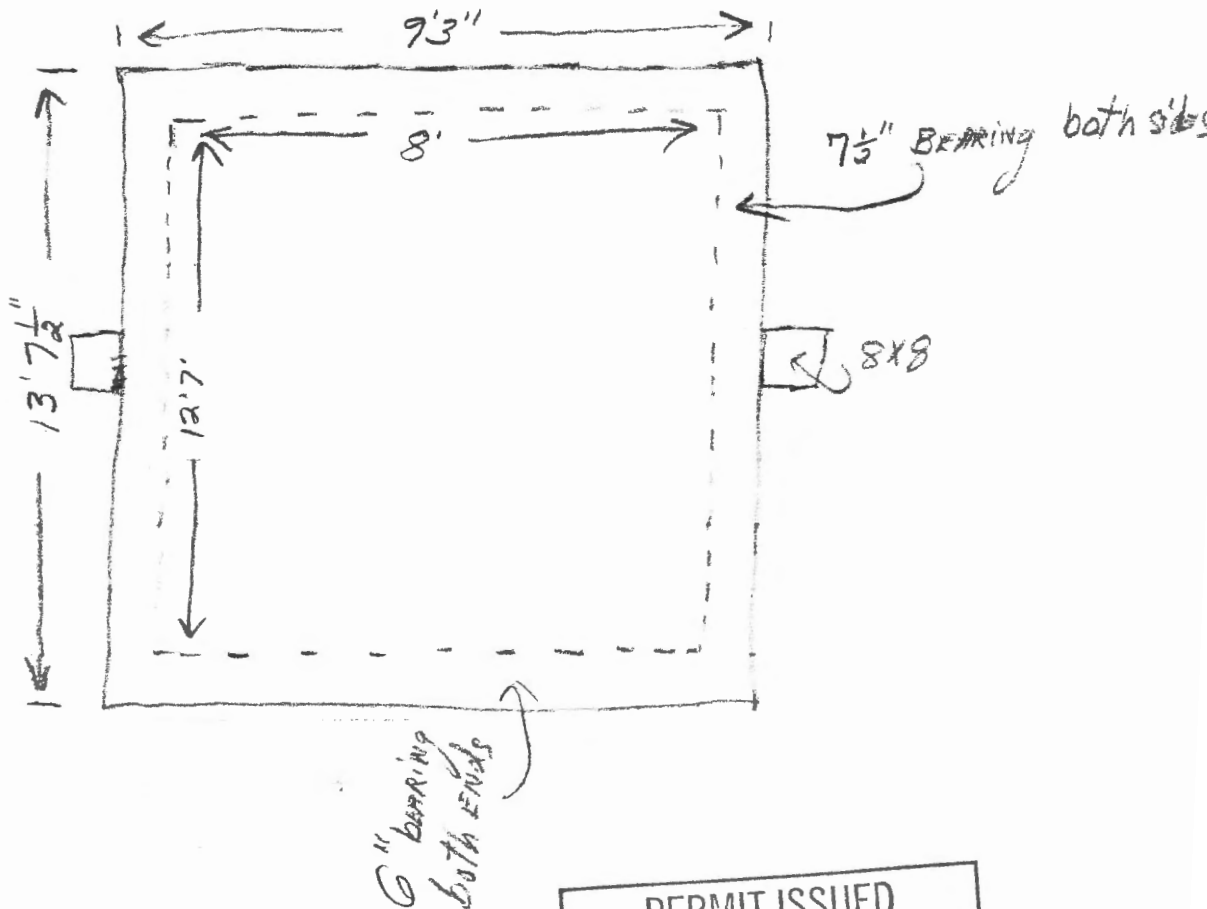
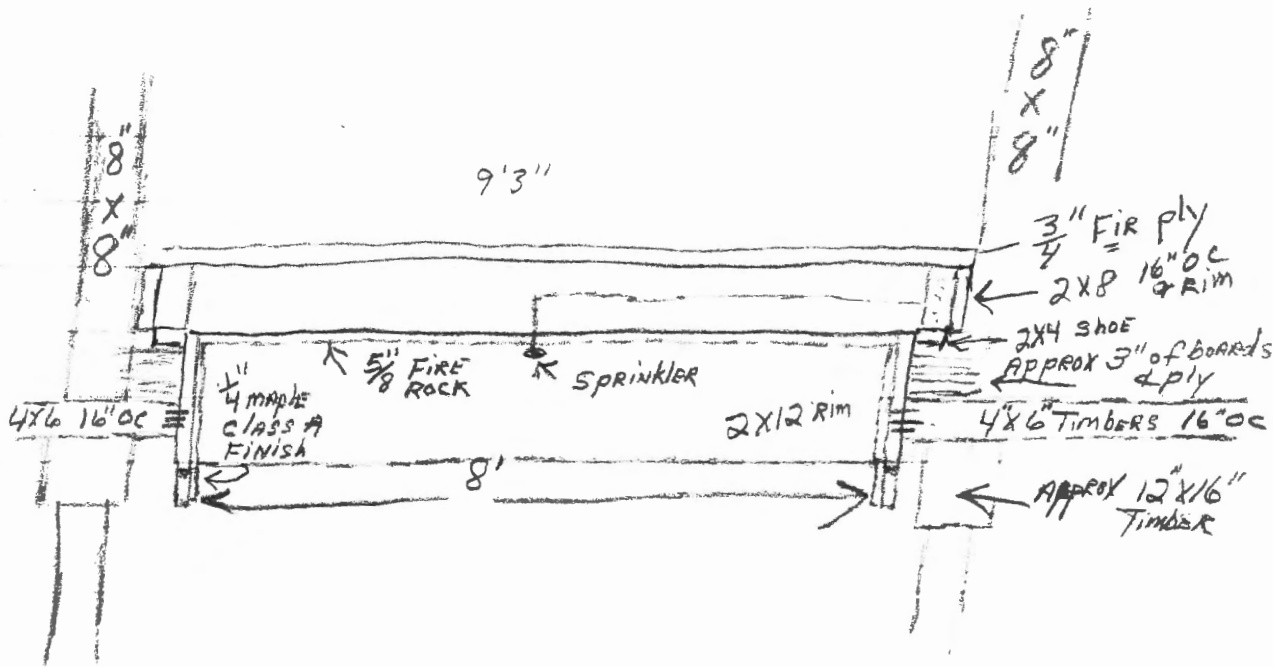
2ND FLOOR 444 FOREST
 ER ENTERTAINMENT / PROST

① NEW SEATING PLATFORM AREA "CLUB ONLY"



STORAGE CITY REARVIEW ABOVE IS EXISTING 6'-5" HEAD ROOM





PERMIT ISSUED

MAY 2 2008

CITY OF PORTLAND